APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,257	12/31/2003	Daryl Carvis Cromer	RPS920030217US1(4034)	2712

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EXAMINER
NOONAN, WILLOW W

ART UNIT	PAPER NUMBER
2146	

MAIL DATE	DELIVERY MODE
03/31/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/749,257	CROMER ET AL.
	Examiner	Art Unit	
	WILLOW NOONAN	2146	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>04 January 2008</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-4,6-17 and 20-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-4,6-17 and 20-24</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>31 December 2003</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   The instant application having Application No. 10/749,257 has a total of 21

claims pending in the application; there are 4 independent claims and 17 dependent

claims, all of which are ready for examination by the examiner.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   *Claims 1-3, 6-11, 15-16, and 19-24 are rejected under 35 U.S.C. 103(a) as being*

unpatentable over Connery (U.S. Patent No. 6,311,276) in view of Kim (U.S. Patent

App. Pub. No. 2004/0163008).

Regarding claims 1, 11, 12, 15, and 20, Connery teaches a method for managing

a remote client on a network. *See* Connery, *Abstract*. Connery teaches that the

method comprises determining a client to be managed and determining whether the

client is active on the network. *See* Connery at col. 2, paragraphs 1-2 ("management …

in a host computer in response to messages received through a network interface").

Connery teaches transmitting a first network packet to the client using the network, the

first network packet comprising a wake-on-LAN packet. *See* Connery at col. 1,

paragraph 1 ("Wake On LAN packet"). Connery further teaches receiving, from the

client, a return wake-on-LAN packet, the return wake-on-LAN packet comprising an

indication of the address of the client and an indication of the status of the wake-on-LAN

functionality of the client. *See* Connery at col. 7, lines 45-49 ("The adapter may

generate a response to the message, such as an acknowledgment UDP packet, if

desired."); Connery at fig. 4.

However, Connery does not teach updating the status of the wake-on-LAN

functionality of the responding clients in database; determining a client to be managed

from the plurality of clients based on the received statuses of wake-on-LAN

functionality, wherein determining a client to be managed based on the received

statuses includes determining whether the client is active on the network. Kim does

teach updating the status in a database. *See* Kim at p. 3, paragraph 43 ("Management

server 215 has access to a database 245 that stores status information regarding each

of the management clients 220 and other information that can be used for the

determination as to whether and when selected management operations are to take

place"). Kim further teaches determining a client to be managed from the plurality of

clients based on the received statuses of wake-on-LAN functionality, wherein

determining a client to be managed based on the received statuses includes

determining whether the client is active on the network. *See* Kim at fig. 6. It would have

been obvious to one of ordinary skill to use Kim's technique in Connery's system

because Kim relates to a similar system for managing wake-on-LAN clients in a

computer network. *See* Kim, *Abstract*.

Regarding claims 2 and 16, Connery teaches transmitting a command to start a management session on the client using the network. *See* Connery at col. 2, paragraph 1 ("remote reset, remote diagnostics").

Regarding claims 3, 21, 22, Connery teaches receiving an indication from the client that the client's wake-on-LAN functionality is disabled and transmitting an override command to the client. *See* Connery at col. 2, paragraph 1 (detailing list of configuration commands).

Regarding claims 6, 7, and 23, Connery teaches that the wake-on-LAN packet comprises an indication of the client address, which may be a broadcast address. *See* Connery at fig. 4.

Regarding claims 8 and 24, Connery teaches that the wake-on-LAN packet comprises an indication of an address for the transmitting computer. *See* Connery at fig. 4.

Regarding claims 9 and 10, Connery teaches that the return wake-on-LAN packet comprises an indication that the client has wake-on-LAN enabled or disabled. *See* Connery at col. 7, lines 45-49 ("The adapter may generate a response to the message, such as an acknowledgment UDP packet, if desired."); Connery at fig. 4.

4.   *Claims 4, 13-14, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable for the reasons set forth above, further in view of Deosaran (U.S. Patent App. Pub. No. 2002/0135611).*

Regarding claims 4 and 17, Connery does not teach marking the status of client devices in a database. However, Deosaran teaches that it is well known to store client

capability and configuration information in a server-side database. *See* Deosaran at
p.1, paragraph 12 ("server which ... contains an application database that stored profile
information on application that execute within the computer network and a system
database that stores configuration information about the client computer within the
computer network"). It would have been obvious to one of ordinary skill in the art at the
time the invention was made to use Deosaran's database in Connery's system and
method because Deosaran teaches that the disclosed invention may optimize the speed
of software applications in a distributed system. *See* Deosaran at p. 1, paragraph 3.

  Regarding claims 13 and 14, Connery teaches a data processing system for
managing a remote client on a network, the system comprising: a server computer
system in communication with at least one client computer system, the server computer
system comprising a processor capable of determining whether the client computer
system is active; wherein the server computer system is capable of transmitting a first
network packet the at least one client computer system, the first network packet
comprising a wake-on-LAN packet; wherein the server computer system is capable of
receiving a return wake-on-LAN packet from the at least one client computer system,
the return wake-on-LAN packet comprising an indication of the address of the client and
an indication of the status of the wake-on-LAN functionality of the client.

  However, Connery does not teach a status database. Deosaran does teach that
it is well known to store client capability and configuration information in a server-side
database. *See* Deosaran at p.1, paragraph 12 ("server which ... contains an application
database that stored profile information on application that execute within the computer

network and a system database that stores configuration information about the client

computer within the computer network").

Response to Arguments

5.   Applicant's arguments have been considered but are moot in view of the new

ground(s) of rejection.

Conclusion

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to WILLOW NOONAN whose telephone number is

(571)270-1322. The examiner can normally be reached on Monday through Friday,

7:30 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey Pwu can be reached on (571) 272-6798. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Willow Noonan/

Examiner, Art Unit 2146

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit 2146